

Catastrophic Illness Sick Leave Bank

Benton County offers a Catastrophic Illness Sick Leave Bank to serve as a depository into which participating employees may donate accrued sick leave time for allocation to other participating employees in order to support them when they face a major health crisis. The purpose is to create a caring environment and to alleviate the economic hardship caused when a major health condition or injury occurs.

A serious health condition is defined as a condition of the employee that renders the employee unable to perform his or her job functions. The serious health condition must be certified by a “health care provider”. A health care provider is any professional that is recognized by any of the College’s group health plan(s) performing within the scope of their practice as defined under state regulations issued by the U.S. Department of Labor, but does not include elective procedures.

The following criterion applies for employee participation in the Catastrophic Illness Sick Leave Bank:

- Employees voluntarily participate through an annual enrollment into the program during the County’s open enrollment period.
- An employee’s serious health condition must be approved for protected leave under the Family Medical Leave Act.
- An employee must exhaust all accrued vacation leave, sick leave, and comp time prior to requesting additional leave from the sick leave bank
- Days drawn from the sick leave bank, in addition to the vacation and sick leave days taken, shall not exceed 90 consecutive calendar days.
- Employees may be eligible for long term disability after 90 consecutive calendar days if all conditions are met in accordance with the long-term disability policy.
- A ninety (90) working day waiting period, for new employees, is required before any Catastrophic Illness Sick Leave Bank benefits may begin.
- Any eligible employee must miss thirty (30) working days before accessing the Catastrophic Illness Sick Leave Bank. Accrued sick and annual leave may be used during this waiting period. If the amount of accrued sick and annual leave exceeds the 30 working day waiting period, the employee must exhaust all leave prior to receiving payment from the Bank.

Procedures

- A. All full-time who receive sick leave benefits, regardless of the number of hours they work per week, are eligible to participate in the Catastrophic Illness Sick Leave Bank.
- B. After the initial implementation of the Catastrophic Illness Sick Leave Bank, the effective date for enrollment into the Bank is January 1st of each calendar year.
- C. Enrollment in the Catastrophic Illness Sick Leave Bank will occur once every year during the County’s annual open enrollment period. Employee must complete a Catastrophic Illness Sick Leave Bank enrollment form that authorizes the County to deduct a specified amount of sick leave from their sick leave accrual.

- D. Employees must re-enroll annually to continue their membership in the Catastrophic Illness Sick Leave Bank.
- E. Employees do not retain ownership of any days they contribute to the Catastrophic Illness Sick Leave Bank and have no right to withdraw those days once contributed, nor do employees owe any days to the bank once used.

Approved Uses and Exclusions

- A. Contributors will be permitted to use the Bank for payment of regular duty days while out of work for prolonged, incapacitating personal illness, injury or quarantine of the employee.
- B. Leave will not be approved due to disability which is covered under Workers' Compensation laws.
- C. Leave from the Catastrophic Illness Sick Leave Bank may not be used for prolonged, partial-day absences (intermittent leave.)
- D. An employee who was out on leave from the Bank and who returns to work for any period of time must re-apply to the Catastrophic Illness Sick Leave Bank for any subsequent absences even if those absences are for the same illness, injury or quarantine. The 30-day waiting period will apply for these types of cases.

Donation of Sick Leave

- A. Employees will be requested to donate a minimum of one month's accrual of sick leave.
- B. When the Catastrophic Illness Sick Leave Bank becomes low during the calendar year, employees may be asked to donate an additional amount of sick leave.
- C. Once the sick leave is donated to the Catastrophic Illness Sick Leave Bank, employees may not request for any reason that the leave be returned to them.

Rules and Procedures

- A. A maximum of sixty (60) Sick Bank days will be granted to any member in any rolling 12-month period. Sick Bank days will cease to be granted on the day a physician releases the employee to return to work
- B. Payment to an employee from the Catastrophic Illness Sick Leave Bank will be equal to their normal work schedule and rate of pay. For example, an employee who works 10 hours per day, 4 days per week will receive payment from the Bank of 40 hours per week at their normal rate of pay.
- C. Employees will not accrue leave benefits while receiving payment from the Catastrophic Illness Sick Leave Bank.

- D. While an employee is receiving payment from the Bank, the County will continue to deduct insurance contributions from the monies paid to the employee from the Catastrophic Illness Sick Leave Bank.
- E. At the end of the leave, a physician's certification of ability to return to work must be submitted to the Human Resources Office. Any unused approved sick bank time must be returned to the Catastrophic Illness Sick Leave Bank.
- F. When an employee knows in advance that an illness or injury needs serious medical attention, the employee should complete the Catastrophic Illness Sick Leave Bank request form and submit it to his/her elected official or department head, with the appropriate medical certification, required under the Family Medical Leave Act, which will then be forwarded to the Human Resources Manager
- G. If an employee is unable to personally make a Catastrophic Illness Sick Leave Bank request due to the severity of the medical condition, or the employee is incapable of making the request due to other reasonable circumstances, the employee's spouse, significant other, or family member shall call the elected official or department head to discuss the situation, and request withdrawal from the bank, if needed. If no family member exists, a friend, the employee's supervisor or co-worker may make the request.
- H. The County reserves the right, at any point in time, to require a second opinion concerning continuing illness or disability. If a second opinion is requested, the employee may agree to be examined by a physician of the County's choosing at the County's expense, or the employee may choose to see a physician of his/her own choice, in which case, the employee shall be liable for any cost incurred in connection with the exam.
- I. If an employee is eligible for any FMLA leave, such leave will run concurrently with any Catastrophic Illness Sick Leave Bank leave granted. The Employee must complete the necessary FMLA leave paperwork.
- J. Once an employee qualifies for long-term disability benefits under the County's insured plan, no additional leave days will be granted from the Sick Leave Bank.
- K. When an employee leaves employment with the County, membership in the Catastrophic Illness Sick Leave Bank ceases and any contributions remain with the Catastrophic Illness Sick Leave Bank.
- L. All changes in policy and/or procedures will be brought to the elected officials for approval and then forwarded to the committees of the Quorum Court for a change to the employee policy ordinance.